THE HONOURABLE SRI JUSTICE V.ESWARAIAH

Date:14-3-2006

WRIT PETITION No.5041 OF 2006

BETWEEN:

K.Ramu.

…Petitioner

And

The Prl.Secretary, Revenue, Government of Andhra Pradesh, Secretariat, Hyderabad and others

…Respondents

ORDER:

The petitioner seeks to issue a writ of mandamus declaring the inaction of the respondent No.2 in exercising the jurisdiction vested in him under Section 4-B(3) of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 by staying the operation of the order of the third respondent in appeal proceedings No.D/2770/2005, dated 27-12-2005 in respect of the agricultural land of the petitioner in Sy.No.131/2, admeasuring Ac.2-35 guntas situated at Vattinagulapally village, Rajendranagar Mandal, Ranga Reddy District as illegal, arbitrary and without jurisdiction.

Heard the learned counsel appearing for the petitioner and the

learned Government Pleader for Revenue appearing for the respondents.

It is stated that as against the order passed by the Mandal Revenue Officer, Rajendranagar in proceedings No. B/6960/2/2004, dated 21-6-2005 in resuming the lands which are in possession of the petitioner in an extent of Ac.2.35 guntas, in Sy.No.131/2, situated at Vattinagulapally village, Rajendranagar Mandal, on the ground that the original assigneee transferred the said lands in contravention of the provisions of Sub Section (2) of Sections 3 and 5 of Andhra Pradesh Assigned Lands ((Prohibition of Transfers) Act, 1977 (hereinafter referred to as "the Act"), therefore, the said lands have been ordered to be resumed in exercise of the powers conferred under Section 4 of the Act. As against the said order, the petitioner filed an appeal under Section 4-A(1) of the Act before the Revenue Divisional Officer, Chevella Division and the appellate authority vide its proceedings No.D/2770/2005, dated 27-12-2005, dismissed the appeal after considering the contentions of the petitioner by an elaborate order, upholding the order of the Mandal Revenue Officer, Rajendranagar.

Aggrieved by the said order, the petitioner filed a revision under Section 4-B(3) of the Act, before the Joint Collector, Ranga Reddy District along with an application for grant of stay. The said application has been rejected on the ground that there are no standing crops and no building is situated on the ground.

I am not inclined to express any opinion on the merits of the case as the revision is pending before the second respondent and as the revision itself is posted on 18-3-2006, it is just and proper to direct the respondent to consider and dispose of the revision in accordance with law within four weeks from the date of receipt of copy of this order and till then, the status-quo obtained as on today with regard to the lands in question shall be maintained.

Accordingly, the writ petition is disposed of.

V.ESWARAIAH, J

Date: 14-3-2006.

Shr.